

REMARKS/ARGUMENT

This amendment responds to the office action of May 22, 2002, in accordance with 37 C.F.R. § 1.111.

Claims 26 through 42 are pending in the application. Claims 26 through 42 are amended for the purpose of clarity and not for the purpose of overcoming prior art by this response.

1. Request for Telephone Interview with the Examiner

The applicants' attorney attempted to schedule a telephone interview with the Examiner between the dates of August 14, 2002, and August 22, 2002. The Examiner was unavailable during that time.

The applicants request that the Examiner conduct an interview with their counsel. An interview is believed necessary to explain in detail the distinguishing elements of the applicants' claimed invention over the prior art. The applicants' process claims contain multiple steps that comprise, *inter alia*, several multiples of the same type of structural elements, such as belts, wire sections, and fiber plies. Thus, a miscommunication and/or misunderstanding is likely to occur with the written attempt to distinguish the claimed steps and structural elements of the applicants' invention from the cited patent, which also contains several multiples of same type of structural elements. An in-person interview will facilitate efficient communications and understanding of these distinctions by permitting the applicants' attorney and the Examiner to compare the figures of the application and cited patent.

2. Rejection of Claims 26 through 42 under 35 U.S.C. § 102(b)

The Examiner rejects claims 26 through 42 under 35 U.S.C. § 102(b), stating that the claims are anticipated by U.S. Patent Number 5,445,713 to Kunihsa et al. The applicants traverse this rejection and request reconsideration.

The Examiner argues that "the names of the belts in Kunihsa et al. may be arbitrarily chosen and thus if item 4 of Figure 2 is assigned as the 'first belt' then additional plies are applied above the belt as claimed." (See the May 22, 2002, office

action on page 2 at lines 13 through 15.) The applicants disagree with this argument because the Kuniyama et al. patent fails to disclose each and every element of independent claims 26 and 38.

The applicants attach two marked copies of Figure 2 of the Kuniyama et al. patent, labeled "Exhibit I" and "Exhibit II," as a visual aid for the following discussion. Each of the three belts shown in Figure 2 of the Kuniyama et al. patent is labeled as either "Loop A," "Loop B," or "Loop C" in Exhibit I and Exhibit II. In compliance with the above assertion by the Examiner, the applicants will designate a name that corresponds to a specific element recited in the steps of process claims 26 and 38 to each of the three belts, "Loop A," "Loop B," and "Loop C," of Exhibit I and Exhibit II for each argument below.

Exhibit I

For the following argument, the applicants designate in the figure of Exhibit I:

"Loop A" as "a belt" as recited in claims 26 and 38;

"Loop B" as "a first wire of a first wire section" as recited in claims 26 and 38;
and

"Loop C" as "a second wire of a second wire section" as recited in claim 38.

a. Claim 26 as Read on Exhibit I

Exhibit I shows that, when "Loop A" is designated as "a belt," "Loop B" is designated as "a first wire of a first wire section," and "Loop C" is designated as "a second wire of a second wire section," the Kuniyama et al. patent fails to disclose at least the steps of

forming a second fiber ply on a first wire of a first wire section that is located above the top side of the belt, wherein the forming of the second fiber ply begins upstream from the combining section with respect to the first direction, and

combining the first fiber ply on the belt with the second fiber ply on the first wire of the first wire section by applying the first wire of the first

wire section onto the top side of the belt in the combining section from an angle above the belt.

These elements are required by the applicants' claim 26.

b. Claim 38 as Read on Exhibit I

Exhibit I shows that, when "Loop A" is designated as "a belt," "Loop B" is designated as "a first wire of a first wire section," and "Loop C" is designated as "a second wire of a second wire section," the Kunihsa et al. patent fails to disclose any of the steps recited in claim 38 because the "combining section" as recited in claim 38 is not disclosed. For example, the following step is absent:

moving the first wire of the first wire section and the second wire of the second wire section together with the second ply between the first wire of the first wire section and the second wire of the second wire section in a second direction toward the combining section.

This step is required by the applicants' claim 38 and is not disclosed by the cited patent. The figure of the patent cannot even be construed as suggesting this step without the prior knowledge of the applicants' claimed "combining section."

Exhibit II

For the following argument, the applicants designate:

"Loop A" as "a belt" as recited in claims 26 and 38,

"Loop B" as "a second wire of a second wire section" as recited in claim 38, and

"Loop C" as "a first wire of a first wire section" as recited in claims 26 and 38,

as labeled in Exhibit II.

a. Claim 26 as Read on Exhibit II

Exhibit II shows that, when "Loop A" is designated as "a belt," "Loop B" is designated as "a second wire of a second wire section," and "Loop C" is designated as "a first wire of a first wire section," the Kunihsa et al. patent fails to disclose at least the combination of the steps of

forming a second fiber ply on a first wire of a first wire section that is located above the top side of the belt, wherein the forming of the second

fiber ply begins upstream from the combining section with respect to the first direction, and

combining the first fiber ply on the belt with the second fiber ply on the first wire of the first wire section by applying the first wire of the first wire section onto the top side of the belt in the combining section from an angle above the belt.

This step is required by the applicants' claim 26.

b. Claim 38 as Read on Exhibit II

Exhibit II shows that, when "Loop A" is designated as "a belt," "Loop B" is designated as "a second wire of a second wire section," and "Loop C" is designated as "a first wire of a first wire section," the Kunihsa et al. patent fails to disclose at least the step of

forming a second fiber ply in a twin-wire part between a first wire of a first wire section and a second wire of a second wire section, wherein the twin-wire part defines a gap former

This step is required by the applicants' claim 38.

The Examiner is required to support a rejection based upon anticipation with a citation that discloses each and every claimed element. The Kunihsa et al. patent fails to disclose each and every element of claims 26 through 32. This rejection should be withdrawn.

3. Rejection of Previously Allowable Claims 28, 29, 34, 35, and 36

As stated above, the Examiner rejects claims 26 through 42 under 35 U.S.C. § 102(b), stating that the claims are anticipated by U.S. Patent Number 5,445,713 to Kunihsa et al. The Examiner argues that "it is noted that when this orientation is considered, claims previously indicated allowable appear to be anticipated by the reference." (See the May 22, 2002, office action on page 2 at lines 15 through 17.) The applicants traverse this rejection and request reconsideration.

The applicants believe that claims 28, 29, 34, 35, and 36 are allowable as previously indicated in the November 29, 2001, office action. A further basis for the allowability of these claims is supported by the reasons discussed above. This rejection should be withdrawn.

4. Conclusion

The application is believed to be in condition for allowance. Favorable consideration is respectfully requested.

Respectfully submitted,

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